(5) चालू वर्ष (1993-94) के दौरान स्वदेशी रूप से निर्मित डी ए पी, आयातित एम ओ पी पर 1000 रुपये प्रति टन की रियायत तथा काम्पलैक्स उर्वरकों की बिक्री पर तदनुरूपी रियायत जिससे कि उन्हें उनके न्यूट्रिएन्ट अंश के अनुपात में किया जा सके तथा सिंगल सुपर फास्फेट पर 340 रुपए प्रति टन की रियायत की एक योजना चालू की गयी है। यह रियायत आयातित डी ए पी अथवा काम्पलैक्स उर्वरकों पर उपलब्ध नहीं है।

Appeal Against Rule 30—A of IDPL/ CDA Rules

3104. SHRI MD. SALIM : Will the PRIME MINISTER be pleased to refer to the reply to the Unstarred Question 2908 given in Rajya Sabha on 18th March, 1993 and state :

(a) what were the reasons which were recorded in writing by the Screening Committee and who were the members of the said Committee with details thereof ;

(b) whether an employee has the right to know the complete rule which is concerning him and his future career, with reasons therefor ;

(c) the reasons as to how an employee of the company would know in the absence of any indication on the rule concerning him and which has not been specified on it ;

(d) whether such indications as (c) above are to be kept in the files of the company and hidden from the employees and disclosed only if pointed out to the company, together with reasons, therefor ; and

(e) what is the fate of the representation of the said official which was sent to the Board of Directors on the 3rd September, 1992 ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO) : (a) to (e) The question relates to a former Marketing Executive of IDPL whose services were terminated by the company in accordance with the provisions of Conduct, Discipline & Appeal Rules of the company. For employees below the Board level, Government is neither the Appointing, Disciplinary, Appellate nor the Reviewing Authority and as such the Government does not intervene in the service matters of such employees of the public sector undertakings.

The company has reported that the said employee had filed a Writ Petition in the Hon'ble Delhi High Court against the disciplinary proceedings initiated against him by the management and the Writ Petition was dismissed by the Hon'ble Delhi High Court. While dismissing the petition, the Hon'ble Delhi High Court observed "The petitioner has been unauthorisedly abstaining himself from joining since March, 1989. This is nothing short of indiscipline. In these circumstances, we are not inclined to interfere. Dismissed." Aggrieved by these orders of the High Court, the petitioner filed two Special Leave Petitions in the Hon'ble Supreme Court of India which were also rejected.

Production of Betamethasone by M/s. Glaxo

3105. PROF. I. G. SANADI : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that M/s. Glaxo is the only producer formulator of Betamethasone ;

(b) whether it is a fact that unintended benefit of Rs. 16 crores per annum is given to the company by notionally allowing 8 per cent incidents when there are no followers of their packs in the organised sector, if so, what is the justification therefor ;

(c) what are the names of other drugs and companies falling under same situation and what steps have been taken to rectify the position ; and

(d) whether it is a fact that Methdilazine, Cepheloridine and several bulk drugs and formulations of Glaxo have been price decontrolled without any basis, if so, the reasons thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO) : (a) to (d) The information is being collected and will be laid on the Table of the House.

Delicensing of Pharmaceutical Industry

3106. SHRI G. G. SWELL : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that in a recent seminar in New Delhi on "Price control on the Pharmaceutical Industry" he said that Government was in the process of delicensing the pharmaceutical industry ;

(b) whether before making the statement he had considered the fallout on price of the product patent regime under GATT which will come into effect in the near future ;

(c) whether many American patents relating to many drugs and pharmaceuticals in India are in the pipeline and need not wait the 10 years grace period ;

(d) whether Americans are making an issue of this and can enforce it under their special trade laws ; and

(e) whether Indian pharmaceutical industry would have to pay royalties to American patent holders and this added to their margin of profit will raise the cost of drugs and medicines within the country ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO) : (a) Yes Sir. This Statement was made by the Minister of State.

(b) to (e) No, Sir, I had in my inaugural address only stated that a Background Paper for discussion on review of Drug Policy was before the House and was likely to be taken up for discussion in the ensuing Mansoon Session of the Parliament.

Charge-sheet Issued for Unauthorised Absence

3107. SHRI MD. SALIM : Will the PRIME MINISTER be pleased to refer to the reply to Starred Question 70 given in the Rajya Sabha on 29th April. 1993 and state :

(a) what are the reasons of issuing the charge-sheet of unathorised absence under rule 25 on 21st May, 1990 when rule 30—A was also in existence ;

(b) whether at the time of issuing the charge-sheet under rule 25 on 21st May, 1990, the unauthorised absence from Duty by the Marketing Executive was more than 30 days or not, together with reasons therefor ;

(c) whether it is a fact that the official had replied the charge-sheet of 21st May, 1990 on 30th May, 1990 ;

(d) if so, the reasons of issuing the notice under rule 30—A by an officer junior to CMD on 1st June, 1990 ;

(e) the reasons as to how it was stated that no simultaneous proceedings were going on in any case, as per the answers given to the Unstarred Question Nos. 2262 dated 30th July, 1992 and 4597 dated 20th August, 1992 respectively ; and

(f) whether it is a fact that the Marketing Executive had challenged the authorities of CMD on 30h May, 1990, with reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO) : (a) to (f) The question relates to a former Marketing Executive of IDPL whose services were terminated by the company in accordance with the provisions of Conduct, Discipline & Appeal Rules of the company. For employees below the Board level, Government is neither the Appointing, Disciplinary, Appellate nor the Reviewing Authority and as such the Government does not intervene in the service matters of such employees of the public sector undertakings.

The company has reported that the said employee had filed a writ petition in the Hon'ble Delhi High Court against the disciplinary proceedings initiated against him by the management and the writ petition was dismissed by the Hon'ble Delhi High Court. While dismissing the petition the Hon'ble Delhi High Court observed "The petitioner has been unauthorisedly abstaining himself from joining since March, 1989. This is nothing short of indiscipline. In these circumstances, we are not inclined to interfere. Dismissed." Aggrieved by these orders of the High Court, the petitioner filed two Special Leave Petitions in the Hon'ble Supreme Court of India which were also rejected.

Charge Sheet Issued to Employees of IDPL

3108. SHRI MD. SALIM : Will the PRIME MINISTER be pleased to refer to the reply to the Unstarred Question 1912 given in the Rajya Sabha on 13th May, 1993, and state :

(a) the reasons for issuing charge sheets to both the employees in November/December, 1989 for their unauthorised absence from 12th March, 1989 and 20th June, 1989 respectively and how it justified the statement given in part (b) of the Unstarred Question 1595 dated 3rd December, 1992 ;

(b) the reasons for not starting the disciplinary proceedings during March/April, 1989 and June/July, 1989 respectively against the above mentioned employees as per the statement given to part (b) of the Unstarred Question No. 1595, dated 3rd December, 1992, when they were refused leave on 12th March, 1989 and 20th June, 1989 respectively together with reasons therefor ;

(c) the reasons for putting economic pressure on the above employees by delaying tactics in issuing the charge sheet and starting of disciplinary proceedings after refusing the leave in March, 1989 and June, 1989 respectively ; and

(d) In reply to Unstarred Question Nos. 2259 and 2262 both dated 30th July, 1992 ; please justify the statement "The disciplinary proceedings and issuing of charge sheet are initiated within a reasonable time", on the above employees, with reasons therefor ?